

Amendments to the Drawings:

The attached replacement sheet of drawings includes changes to Fig. 1. This sheet includes only Fig. 1. In Fig. 1, element 60 is amended to recite the label “Selection Unit”.

A new sheet is provided with Fig. 2. This sheet shows the sequence of steps of the method recited in claim 12.

Attachments: Replacement Sheet with Fig. 1
 New Sheet with Fig. 2.

REMARKS

Favorable consideration and allowance are respectfully requested for claims 1 and 3-17 in view of the foregoing amendments and the following remarks.

The objection to the drawing for reciting “Fig. 1” is rendered moot by the addition of a new Fig. 2 to the present application (described below).

The objection to Fig. 1 with respect to “selection unit 60” is addressed by amending Fig. 1 to label item 60 with the words “Selection Unit.”

The objection to Fig. 1 as failing to reference element 20 is addressed by amending the specification to no longer recite element 20.

The objection to Fig. 1 as not showing every feature in the claims is addressed by introducing new Fig. 2 which shows the steps of: charging, alternating, and measuring and evaluating, as recited in claim 12. These steps were previously provided in the specification at least in the paragraph beginning at the top of page 5, as well as claim 12. The specification is also amended to introduce new paragraphs [0037] and [0039] which reflects the language of the paragraph beginning at the top of page 5, as well as claim 12, and also reference number 72, 74 and 76 of Fig. 2.

The specification amendments kindly suggested by the Examiner on pages 3-8 of the recent Office Action are reflected in the attached substitute specification. Please replace the specification with the attached substitute specification. The phrase “We claim” is provided on page 11 of the marked-up

version of the substitute specification. The phrase “the claimed apparatus” is use in lieu of the suggested phrase “the claimed machine” on page 4, item (E)(1) of the recent Office Action.

The rejection of claims 1-17 under 35 U.S.C. § 112, as indefinite, is respectfully traversed.

Claim 1 is amended to incorporate the limitations of previously-pending claim 2, namely that a first impedance is switched parallel to the first switching means and a second impedance is switched parallel to the second switching means. As such, the claimed circuit would not require that both the first switch and the second switch be turned on to allow current to flow and to form a complete and operative electrical circuit.

Claim 1 is also amended to replace the phrase “in particular for identifying error situations in interconnected partial systems for voltage generation in a fuel cell system, with” with the word “comprising.” This places the claim in better condition for U.S. practice and also eliminates any uncertainty resulting from the stated intention of use for the circuit.

The Office Action appears to assert that the elements of claim 2, which now appear in amended claim 1, would create a situation where the alternating between the first switch and the second switch would not allow the system to function to identify an error situation because a complete and operative circuit would always be present.

The specification explains the operation of the alternative selection of the first switch and the second switch beginning near the bottom of page 2. First, only one switch is conductive at any given moment. (Page 2, lines 24-25). If the first switch is conductive, current flows through this switch, through the signal line loop, through the second impedance and to the ground. (Page 3, lines 1-4). The partial systems 20a, 20b and 20c measure the voltage in the signal line (via voltage measuring devices 22) in this instance. (Page 3, lines 4-6).

If the second switch is then made conductive, current flows through the first impedance, through the signal line loop, through the second switch and to the ground. The partial systems 20a, 20b and 20c then measure this voltage in the signal line (via voltage measuring devices 22). (Page 3, line 8-14).

Through this alternating between the first and second switch, in the absence of an interruption or short circuit in the signal line loop, the partial systems measure a voltage curve. (Page 3, lines 16-19). If, on the other hand, there is an interruption in the signal line loop, then the partial systems on the section of the signal line loop facing the first voltage connection continuously measure the first voltage and the partial systems on the section of the signal line loop facing the second voltage connection continuously measure the second voltage, i.e. the ground voltage if the ground potential is selected as a second voltage. (Page 3, lines 21-25).

If the signal line loop is short-circuited with the first or the second voltage connection, all the partial systems continuously measure the first or the second voltage. (Page 3, lines 27-28).

In view of this description one of skill in the art would understand how the invention makes detection of an interruption or short-circuit in the signal line loop possible.

With respect to paragraph 7.2 of the recent Office Action, claim 11 is amended to delete the phrase “depending on their functional stage.” As amended, claim 11 is explained by the specification, for instance on page 4, beginning at line 30, which indicates that if, for example, an internal error occurs in a partial system, the partial system may cause an internal interruption of the signal line loop. This interruption can be detected by all the other partial systems and may lead to triggering of appropriate error recovery. Thus, it is the partial system itself which can interrupt the signal line loop.

As amended, the claim would not require a separate positive recitation of a functional state for the partial system.

With respect to paragraph 7.3 of the recent Office Action, the specification describes that if the first transistor 40, is conductive, current flows through the first transistor 40, through signal line loop 10, through the second impedance and to the ground. The partial systems measure this voltage. If the second transistor 41 is opened (and the first transistor 40 is closed) then current flows through the first resistor 50 through signal line loop 10, through the second

transistor 41 and to the ground. The partial systems also measure this voltage. As described in the specification, the first voltage is selected to have one value while the second voltage has another, for instance the latter may be the ground potential of the ground connection 31. (See, for instance, the paragraph at the top of page 4 of the specification). Based on the voltages measured and the expected values for the voltages, the system can detect errors as described in the final two paragraphs of the specification.

Based on this description, a person of skill in the art would appreciate and understand the context of the invention and the manner in which it operates. Therefore, one of skill in the art could readily determine whether or not some activity constitutes infringement of this claim. In any event, there is nothing about the claim language that is “insolubly ambiguous”, see *Marley Mouldings Ltd. v. Mikron Industries, Inc.*, 417 F.3d 1356, 75 U.S.P.Q.2d 1954, (Fed. Cir. 2005) citing *Bancorp Servs., L.L.C. v. Hartford Life Ins. Co.*, 359 F.3d 1367, 1372, 69 USPQ2d 1996, (Fed. Cir. 2004). Accordingly, this claim language is definite and reconsideration and withdrawal of this rejection are respectfully requested.

CONCLUSION

In view of the foregoing, the application is respectfully submitted to be in condition for allowance, and prompt favorable action thereon is earnestly solicited.

If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket No. 102063.56895US).

Respectfully submitted,

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